

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION**

U.S.A. vs. Julius Harris

Docket No. 4:11-CR-2-1BO

Petition for Action on Supervised Release

COMES NOW J. Brock Knight, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Julius Harris, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on May 22, 2012, to the custody of the Bureau of Prisons to time served. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 5 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
2. The defendant shall provide the probation office with access to any requested financial information.
3. The defendant shall pay a \$100 special assessment.

Julius Harris was released from custody on May 22, 2012, at which time the term of supervised release commenced.

A Violation Report was previously submitted to the court on December 5, 2012, documenting new criminal conduct, Driving While License Revoked and Unsafe Movement (12CR712849). The defendant received a written reprimand and was continued under supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 9, 2013, at approximately 9:40 p.m., the defendant was arrested by Trooper Taylor of the North Carolina State Highway Patrol, in Pitt County, North Carolina, and charged with Driving While Impaired (13CR52144). The charge is pending adjudication in Pitt County District Court. The defendant submitted to a portable breath test after the alleged incident and his blood alcohol content was documented as .12. When this officer confronted the defendant about the alleged criminal conduct, he admitted that he operated a motor vehicle after consuming alcohol and expressed remorse for this conduct. As a sanction for this conduct, we are recommending the court add a condition to the defendant's supervision requiring service of 5 days custody. Additionally, inasmuch as Harris does not have a drug aftercare condition, it is recommended his conditions of supervision be modified to include such condition which will serve to monitor the defendant's lifestyle while also providing a means for treatment intervention.

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The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 consecutive days, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ J. Brock Knight
J. Brock Knight
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-758-7200
Executed On: March 13, 2013

ORDER OF COURT

Considered and ordered this 19 day of March, 2013, and ordered filed and made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge